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REMARKS

Claims 1-20 are pending in the present application. Claims 1-9 were rejected under 35 USC 112, second paragraph. Claim 1 was rejected under 35 USC 102(b) as being anticipated by Lycan (US 2555476). Claims 1 and 8 were rejected under 35 USC 102(b) as being anticipated by Wooten (4285070). Claims 1,3,4,8 and 9 were rejected under 35 USC 102(b) as being anticipated by Inasawa (4,191,422). Claims 10 and 12-14 were rejected under 35 USC 102(b) as being anticipated by Inasawa (4,191,422). Claims 17-18 were rejected under 35 USC 103(a) as being unpatentable over Inasawa (4,191,422). Claim 17 was rejected under 35 USC 103(a) as being unpatentable over Wooten (4,205,878). Claims 2, and 5-7 were deemed allowable if rewritten to overcome the 112 rejections and rewritten in independent form. Claims 11, 15, 16 and 20 were deemed allowable if rewritten in independent form. The drawings were objected to for several discrepancies.

Drawings

The drawings have been amended to remove the dual use of reference character "48" and to include reference numbers "42" and "62" and are being filed concurrently herewith.

Claims Rejected Under 35 USC 112, Second Paragraph

Claims 1-9 were rejected for failing to clearly claim the subcombination of a head restraint assembly for use with an automotive seat assembly having a seatback. Claim 1 has been amended to remove this confusion and clearly claim this subcombination.

Claim 2, line 3 was amended to properly refer to "arms" rather than "arm". Please note that the limitations of claim 2 have been amended into claim 1 and claim 2 has been cancelled.

The Applicant respectfully traverses the 112, paragraph 2 rejection of claim 4. The Examiner states that it is unclear as to how movement is realized when the locking arm is in the engagement position. The Applicant respectfully directs the Examiner to the end of paragraph 22 of the specification and to Figure 3. As is clear

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from Figure 3, the angled back edge of the uni-directional notches 42 allows rearward movement of the locking arm even when it is in the engaged position. Only forward movement is constrained. This is the purpose of claiming unidirectional notches. The Applicant submits that the limitations in claim 4 are clear and non-violative of 35 USC 112, second paragraph.

Claims Allowable if Rewritten.

The Applicant has amended the claims as directed to be allowable as directed by the Examiner. By moving the limitations of Claim 2 into Claim 1; and by moving the limitations of claim 11 into claim 10, the Applicant has also extended that allowability to the underlying dependent claims. The Applicant thanks the Examiner for his recognition of the allowable claims.

One Remaining Issue

The sole remaining issue resides in Claim 13 which the Applicant has rewritten into independent form to simplify the remaining prosecution. The Applicant traverses the assertion that Inasawa teaches the use of uni-directional notches allowing movement in only a single direction when the locking arm is in the engaged position. Inasawa teaches the use of standard notches retaining movement in both fore/aft directions. It occurred to the Applicant that the Examiner may interpret upward movement is a single direction. However, any vertical movement of locking arm moves it out of the engagement position which is contrary to the limitations of the claim. To clear any confusion, the Applicant has added the term horizontal to bypass any such interpretation.

The Applicant would like to again thank the Examiner for the recognition of the allowable material and asserts that all claims are now in proper form for allowance.

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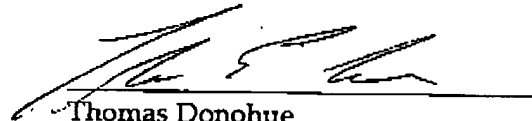
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CONCLUSION

The Applicant would like to thank the Examiner for his assistance. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited.

Should the Examiner have any questions or comments that would place the application in better condition for allowance, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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